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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,260	11/21/2003	Meinolf Blawat	PD020110	2794

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EXAMINER

LE, DANH C

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/719,260

Applicant(s)

BLAWAT ET AL.

Examiner

DANH C. LE

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 is/are allowed.
- 6) ☒ Claim(s) 1-6, 10 and 11 is/are rejected.
- 7) ☒ Claim(s) 7-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 11/21/03 has been considered by the examiner and made of record in the application file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. **Claims 1-6, 10, 11 are rejected under 35 U.S.C. 102(a) as being Traversat by (US 2002/01843310).**

As to claim 1, Traversat teaches a method for grouping technical devices being nodes of a network (figure 3, 4), the nodes being capable of providing services or resources to other nodes of the network and using services or resources provided by other nodes of the network, wherein a unique label is used for identifying the group, and a unique label is used for identifying an individual node, characterized in said group label being created automatically when two nodes are connected, and neither of said two nodes already labelled as being member of a group of nodes;

said group label being assigned automatically to said two nodes;

said group label being assigned automatically to other nodes when being connected to said group of nodes; and

node having not more than one group label assigned.

As to claim 2, Traversat teaches a method according to claim 1, wherein said group label is newly determined and assigned dynamically to all nodes belonging to said group of nodes whenever one or more nodes are added to or removed from said group of nodes (paragraph 380 and abstract).

As to claim 3, Traversat teaches a method according to claim 1, wherein the nodes are under control of the same user (paragraph 0084, 0137).

As to claim 4, Traversat teaches a method according to claim wherein two different groups nodes may be merged into one group, the merging process comprising modification of the affected nodes group label such that a common group label is assigned to the affected nodes (paragraph 0073).

As to claim 5, Traversat teaches a method according to claim 1, wherein a group of nodes may be split into two or more groups of nodes, the splitting process comprising modification of the affected nodes group label (paragraph 0116).

As to claim 6, Traversat teaches a method according to claim 5, wherein the modification of group labels results automatically assigning a common group label to the nodes of one resulting group of nodes, and either automatically assigning another common group label the nodes of the other resulting group of nodes, or leaving the common group label of said nodes of said other resulting group of nodes unchanged (paragraph 0090, 0085, 115).

As to claim 10, Traversat teaches a method according to claim 1, wherein said group label detached automatically from any node when being disconnected from said group of nodes (paragraph 380).

As to claim 11, Traversat teaches a method according to claim wherein a connection between two nodes has a status, the status defining whether both connected nodes belong to the same group of nodes or not (paragraph 139).

Allowable Subject Matter

Claims 7-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 7, the teaching of above prior art fails to teach communication and cooperation between nodes belonging to different groups of nodes is allowed, if the following conditions are fulfilled, namely the first condition being that a requesting node belongs to a first group of nodes, the group of nodes being connected to at least one other, second group of nodes, the second condition being that said second group of nodes can detect unambiguously that the request was launched from said first group of nodes, the third condition being that for the second group of nodes it is explicitly allowed to communicate and cooperate with the first group of nodes, and the fourth condition being that the content or service requested by said first group of nodes is available within said second group of nodes, and released by said second group of nodes, the release referring explicitly said first group of nodes, or the release referring to a number of groups of nodes including said first group of nodes.

Dependent claims 8 and 9 are objected for the reason.

Claim 12 is allowed.

As to claim 12, the teaching of above prior art fails to teach means for detecting if the second nodes group label is the same as the first nodes group label, if the second node has already a group label associated when connecting, and means for enabling communication between the two nodes if their group labels are identical.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Yeager et al (US 2005/0086300) teaches trust mechanism for peer-to-peer network computing platform.

B. Abdel-Aziz et al (US 2004/0064511) teaches peer-to-peer email massaging.

C. Traversat et al (US 2002/0188657) teaches resources identifiers for a peer-to-peer environment.

E. Toyryla et al (US 2003/0083086) teaches method for creating a dynamic talk group.

F. Pinard (US 6,816,589) teaches dynamic communication groups.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



February 10, 2006
DAN H. [unclear]
PRIMARY EXAMINER